

TORT CLAIM FORM

APR 18 2012

INSTRUCTIONS: Explain all details and facts relating to your claim; how your alleged loss occurred, where it occurred and when it occurred. List any witnesses (staff or inmates) and how you claim the department or employee was negligent. Place the original in an envelope addressed to the Department Director and give the envelope to a staff member who will forward it to the Director's office for investigation. Your claim will then be submitted to the Lancaster County Board for consideration. You will be notified of the Board's action so it is important that you provide your forwarding address & phone number.

Your Name: Heath Mathew J Phone #: _____
Last First MI

Address: 605 South 10th Street Lincoln NE 68508
Street City State Zip Code

Date/Time of Loss: 3/26/12-11:30 Location of loss: BA-23

Amount & Type of Claim: Amount \$ 150,000 ☐ Lost Property ☐ Damaged Property ☒ Other

Explain Your Claim:

(attach additional sheets if necessary)

In - proper ~~parts~~ portion on my
tray several times and nothing improper proto
& call to document the wrongs, Camera, ~~etc~~

Your Signature: Mathew Heath Date: 3/26/12

The following will be completed by staff

Staff Issuing Tort Claim

Date & Time: 3/20/12 0840 PSN: 546

Director's Office

Date Rec'd: 3-27-12 Control # JT12-06

LANCASTER COUNTY CORRECTIONS DEPARTMENT

TORT CLAIM RECOMMENDATION FORM

NAME OF PERSON FILING TORT CLAIM: Mathew Heath

CONTROL NUMBER ASSIGNED: JT12-06

INVESTIGATIVE FINDINGS: The investigation failed to produce any information which would
lend merit to Mr. Heath's claim. Denial of the tort claim is recommended.

DATE: 04/11/2012 SIGNATURE:

Brenda L. L...

DIRECTOR'S FINDINGS: No evidence to support this claim. I recommend the Board
disapprove this claim.

DIRECTOR'S RECOMMENDATION:

(CHECK ONE)

X

APPROVED FOR \$ _____

DISAPPROVED

CLAIM WITHDRAWN

DATE: 04/12/2012 SIGNATURE:

Michael Thurner

DATE SUBMITTED TO COUNTY ATTORNEY'S OFFICE: 04/13/12

DISTRIBUTION: COUNTY CLERK (ORIGINAL)
PERMANENT TORT FILE (DOC)
JAIL ADMINISTRATORS

INTER-DEPARTMENT COMMUNICATION

TO	Brenda Fisher	DATE	March 28, 2011
DEPARTMENT	Program Director	FROM	Steve Foree
ATTENTION		DEPARTMENT	Corrections Specialist
CARBONS TO		SUBJECT	Attached Tort Claim of Inmate Mathew Heath, #JT12-06

On March 27, 2012, the Director's office received the attached complaint from Inmate Heath upon which he made the following allegations.

1. Heath claimed that, on March 26, 2012, staff failed to give him proper portions of food for his Noon meal. Further he claimed that staff failed to "document the wrongs."

Allegation 1

Inspection of request form files and of investigative report files failed to produce any indication that Heath had reported his issue with meals. One request was found upon which Heath requested a tort claim regarding some property he accused staff of losing. Inquiry of first shift personnel who worked on March 26, 2012, developed information that C.O. Hall was one of the C.O.s who served the noon meals in Heath's subday room. C.O. Hall stated that Heath never mentioned anything to him about inappropriate portions. Heath took the tray into his cell from the food hatch.

Findings:

1. Nothing was found to confirm Heath's claim. Since Heath was living in a single cell on March 26, 2012, and since he took the tray into the cell, it is impossible to determine whether the portions were short or whether Heath did something to the tray before returning it.

